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PRE-APPEAL BRIEF REQUEST FOR REVIEW

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On December 7, 2005Signature *Renée D. East*

Typed or

Printed name Renée D. EastDocket Number: 1685(31838)Application No.: 10/005,493Filed: 11/02/2001First Named Inventor: Satapathy et al.Art Unit: 2155Examiner: Philip B. Tran

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒ attorney or agent of record.

Registration Number 31,123

☐ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). _____

Signature *Mark L. Mollon*

Mark L. Mollon
Typed or printed name

734-542-0900
Telephone number

December 7, 2005
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, U. S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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Renee D. East

Date of signature and deposit - December 7, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Satapathy et al)	Group Art Unit: 2155
)	
Serial No.: 10/005,493)	Confirmation No.: 7989
)	
Filed: 11/02/2001)	Examiner: Philip B. Tran
)	
For: Autonomous Eclone)	Attorney Docket: 1685(31838)

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Alexandria, VA 22313-1450

REMARKS ACCOMPANYING REQUEST FOR
PRE-APPEAL BRIEF CONFERENCE

Honorable Sir:

Pursuant to the procedure specified in the Notice published in the Official Gazette on July 12, 2005, review by means of a pre-appeal brief conference is requested. Such review is appropriate because the final rejection contains clear errors in that claimed limitations are clearly not met by the cited references.

The present invention is an autonomous eclone that represents a user (e.g. subscriber) of a plurality of message media (e.g., telephone, voicemail, email, and video conferencing) wherein the autonomous eclone responds to incoming messages from a third person when the particular message media is unattended (e.g., the user is not answering the telephone or not logged on to their email server). Thus, the "message mediums" recited in the pending claims operate such that when the user is not responding to the particular message medium then the third person can still direct

an unattended message (e.g., email or a recorded voice message) to the user. In order to give the third person certain information they may be seeking without requiring user intervention (i.e., during the period that the message medium is unattended), a plurality of interface agents together with a database and an expert system relay an information result to the third person.

As explained on page 7 of the amendment filed August 22, 2005, Saindon relates to multimedia processing such as converting spoken audio into text. It is devoid of any disclosure of a plurality of messaging media wherein if a message medium used by a person wishing to communicate with the user is unattended by the user, then an interface agent operates on a message left by the person. Therefore, the claim recitation of “a plurality of interface agents each coupled to a respective message medium” does not read on Saindon.

As further explained on page 8 of the August 22nd amendment, the text-to-speech and speech-to-text capabilities of Saindon are applied to web-enabled systems which operate in real time. Saindon lacks a plurality of interface agents coupled to respective message mediums wherein the agents can detect an unattended message or convert the unattended message into a request. Therefore, the claim recitation that the interface agents are “each operable to detect an unattended message received from the person, convert the unattended message into a written request, and relay a result to the person” does not read on Saindon.

As further explained on page 8 of the August 22nd amendment, the rejection fails to differentiate between the user of the message mediums and a person wanting to communicate with the user. All of the claims of the present application refer to these two different individuals. For example, claim 1 involves receiving an unattended message from the person, querying a database storing information relating to the user, and relaying a result to the person. The rejection reflects a failure to take into account this messaging aspect involving both a person and a user. In order for the recited plurality of message mediums or the recited plurality of interface agents to read on Saindon, there would have to be communication taking place between these two individuals. Since these are lacking from Saindon, there is no anticipation.

Claims 1, 9, and 15 recite a command creator to convert a person's request into a database query and an expert system to modify the query by applying a collection of rules. As explained on page 8 of the August 22nd amendment, Saindon's "interactive events" fails to read on the command creator because there is no unattended message in Saindon for converting into a database query. Furthermore, the "Rob-Cop" system of Saindon fails to meet the limitations of the expert system because "Rob-Cop" does not modify a pre-existing database query.

Since the rejection fails to address all the claim limitations given their appropriate meanings as defined in the claims, the rejection should be withdrawn. In view of the foregoing reasons, claims 1-21 are in condition for allowance. Favorable action is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark L. Mollon", written over a horizontal line.

Mark L. Mollon
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Dated: December 7, 2005
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